

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**May 09, 2025**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Richard Olaf Howard

Case Number: 0980 1:23CR02031-SAB-1

Address of Offender: [REDACTED] Wapato, Washington 98952

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: August 28, 2024

Original Offense: Distribution of Fentanyl, 21 U.S.C. § 841(a)(1), (b)(1)

Original Sentence: Prison - 64 days  
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - credit for time  
(02/07/2025) served (79 days)  
TSR - 33 months

Asst. U.S. Attorney: Benjamin David Seal

Date Supervision Commenced: February 5, 2025

Defense Attorney: Nick Mirr

Date Supervision Expires: November 4, 2027

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**PETITIONING THE COURT**

To issue a summons.

On February 6, 2025, the supervised release conditions were reviewed and signed by Mr. Howard acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

**Special Condition #3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Howard is alleged to be in violation of his conditions of supervised release by consuming fentanyl on or before April 18, 2025.

On April 18, 2025, during a routine home inspection at Mr. Howard's residence, he provided a urinalysis (UA) that tested presumptively positive for fentanyl. Mr. Howard denied intentionally consuming fentanyl and suggested that the substance might have entered his system from cleaning up trash around his house without wearing gloves. The sample was sent to Alere Toxicology Services, Incorporated (Alere) for confirmation.

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On May 2, 2025, Alere confirmed that Mr. Howard's UA tested positive for fentanyl on April 18, 2025. Copies of the Alere lab results were provided to assigned counsels.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring Richard Howard to appear to answer to the allegation contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 8, 2025

s/Kyle Mowatt

Kyle Mowatt

U.S. Probation Officer

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**THE COURT ORDERS**

- ☐ No Action  
☐ The Issuance of a Warrant  
☒ The Issuance of a Summons  
☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.  
☐ Defendant to appear before the Judge assigned to the case.  
☒ Defendant to appear before the Magistrate Judge.  
☐ Other



Signature of Judicial Officer

5/9/2025

Date